

Appointment

From: Iffland, JoNell [Iffland.JoNell@epa.gov]
Sent: 4/2/2018 4:32:10 PM
To: Hengst, Benjamin [Hengst.Benjamin@epa.gov]; Charmley, William [charmley.william@epa.gov]; Simon, Karl [Simon.Karl@epa.gov]; Moran, Robin [moran.robin@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Bolon, Kevin [Bolon.Kevin@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Barba, Daniel [Barba.Daniel@epa.gov]; Orlin, David [Orlin.David@epa.gov]; Kataoka, Mark [Kataoka.Mark@epa.gov]; Buchsbaum, Seth [buchsbaum.seth@epa.gov]; Burch, Julia [Burch.Julia@epa.gov]; Cook, Leila [cook.leila@epa.gov]
CC: Iffland, JoNell [Iffland.JoNell@epa.gov]; Gonzalez, Gail [Gonzalez.Gail@epa.gov]; Dupree, Sheena [Dupree.Sheena@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]
Subject: Canceled: Pre-Brief: Mid-Term Evaluation (MTW) Bi-Weekly Updates
Location: AA-Room-Lab-601A-ConfRoom/AA-OTAQ-LAB; AA-Room-Lab-601C-ConfRoom/AA-OTAQ-LAB
Start: 4/2/2018 6:00:00 PM
End: 4/2/2018 7:00:00 PM
Show Time As: Free
Importance: High
Recurrence: Weekly
 every 2 week(s) on Wednesday from 4:00 PM to 5:00 PM

Mr. Wehrum Bi-Weekly Meetings starts: Jan. 9, 2017

MEETING REQUEST:

OTAQ MEETING REQUEST FORM

Requesting Meeting/Conference Call with: **Christopher Grundler**
Send form to: Gwen Stewart – 202 564-1682

Date of this Request: December 7, 2017

Point of Contact (Name/Number): Robin Moran (734-214-4781)

Title of Meeting: Midterm Evaluation (MTE) Bi-Weekly Updates

Purpose of Meeting:

To give Chris a biweekly update on MTE issues. We would like these meetings to be scheduled approximately 2-3 days prior to the BiWeekly AA Wehrum MTE updates.

Priority Status: Critical or time sensitive ☒ Less Immediate ☐

Last possible date for meeting: First meeting should be scheduled 2-3 days prior to when the 1st Wehrum MTE Update is scheduled (for which we're requesting on/about December 20).

If the meeting is critical, please explain why: Chris has OK'd this request.

Location of Meeting: DC or Ann Arbor (w/video)

Length of Meeting: 1 hr.

Key Participants: (List all who need to be notified of the meeting)

<u>Office/Organization</u>	<u>Email Address</u>	<u>Number</u>
Grundler, Christopher	<u>Grundler.christopher@epa.gov</u>	
Hengst, Ben	<u>Hengst.benjamin@epa.gov</u>	
Charmley, William	<u>charmley.william@epa.gov</u>	
Simon, Karl	<u>simon.karl@epa.gov</u>	
Moran, Robin	<u>moran.robin@epa.gov</u>	
Olechiw, Michael	<u>Olechiw.michael@epa.gov</u>	
Bolon, Kevin	<u>bolon.kevin@epa.gov</u>	
Alson, Jeff	<u>alson.jeff@epa.gov</u>	
Barba, Dan	<u>barba.daniel@epa.gov</u>	
Orlin.david	<u>Orlin.david@epa.gov</u>	
Kataoka, Mark	<u>Kataoka.mark@epa.gov</u>	
Buchsbaum, Seth	<u>Buchsbaum.seth@epa.gov</u>	
Burch, Julia	<u>burch.julia@epa.gov</u>	

Message

From: Moran, Robin [moran.robin@epa.gov]
Sent: 4/2/2018 2:39:23 PM
To: Charmley, William [charmley.william@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Bolon, Kevin [Bolon.Kevin@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Wysor, Tad [wysor.tad@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Snapp, Lisa [snapp.lisa@epa.gov]; Barba, Daniel [Barba.Daniel@epa.gov]; Orlin, David [Orlin.David@epa.gov]; Kataoka, Mark [Kataoka.Mark@epa.gov]; Buchsbaum, Seth [buchsbaum.seth@epa.gov]
Subject: Agenda for 11am MTE Update w/Bill C.

[April 2, 2018 MTE Weekly w/Bill Charmley \(Web view\)](#)

April 2, 2018 MTE Weekly w/Bill Charmley

Ex. 5 - Deliberative Process

Robin Moran
Senior Policy Advisor

U.S. EPA, Office of Transportation and Air Quality
2000 Traverwood Dr.
Ann Arbor, MI 48105
(734) 214-4781 (phone)

Appointment

From: Gonzalez, Gail [Gonzalez.Gail@epa.gov]
Sent: 4/2/2018 2:22:18 PM
To: Passavant, Glenn [glenn.passavant@ingevity.com]; Olechiw, Michael [olechiw.michael@epa.gov]; Fernandez, Antonio [fernandez.antonio@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Moran, Robin [moran.robin@epa.gov]
Subject: Meeting with Glenn Passavant / Ingevity
Location: N158

Start: 4/19/2018 5:00:00 PM
End: 4/19/2018 5:55:00 PM
Show Time As: Tentative

Good Morning Bill:

As you probably know, there is continued interest in developing and promoting natural gas as a motor vehicle fuel. I know that in the past few months Mr Wehrum and some Washington and Ann Arbor OTAQ staff have been in meetings with VNG, NGVA, and MECA where this topic has been discussed. In addition, EPA has received specific comments on this issue from ANGP as part of the Regulatory Reform initiative and the MTE reopener.

MECA had meeting with Mr. Wehrum on March 1 where Karl Simon was present and I think Robin Moran was video. GHG/FE rule-related natural gas issues were discussed briefly, and Mr. Wehrum indicated that follow-up with OTAQ was appropriate. (I forwarded the briefing materials from that meeting to Mike Olechiw). In follow-up, Mike Tschantz and I met with Karl Simon Tuesday to discuss GHG rule related natural gas issues in more detail. After a constructive discussion, he suggested that ASD would likely have the lead on any potential light-duty GHG rule changes, and that we should reach out to you and Ann Arbor staff to lay out our specific issues and concerns. Please note that, we met with Mike Olechiw and Tony Fernandez on these issues a couple of times last year and in follow-up provided detailed answers to technical and cost questions. However, for various reasons, there has been no follow-up with us from Mike, Tony, or other EPA staff.

All indications are that in the very near future EPA will publish a notice regarding a determination on Mid-Term Evaluation. We would like to meet with you and important staff (Mike Tony, Jeff Alson and Robin) to be sure that our issues and concerns are well understood and to layout our suggested regulatory changes. If possible, we would like to meet for an hour on Thursday or Friday of next week (March 29 or March 30).

Thank you for your consideration.

Glenn Passavant
Ingevity

Message

From: Kataoka, Mark [Kataoka.Mark@epa.gov]
Sent: 4/2/2018 1:20:26 PM
To: Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Wehrum, Bill [Wehrum.Bill@epa.gov]; Charmley, William [charmley.william@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]
CC: Simon, Karl [Simon.Karl@epa.gov]; Sutton, Tia [sutton.tia@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Orlin, David [Orlin.David@epa.gov]; Wysor, Tad [wysor.tad@epa.gov]; Hengst, Benjamin [Hengst.Benjamin@epa.gov]; Burch, Julia [Burch.Julia@epa.gov]; Moran, Robin [moran.robin@epa.gov]
Subject: RE: Updated draft Reconsideration notice for review

Ex. 5 - Deliberative Process

Mark M. Kataoka
Attorney
EPA OGC ARLO (2344A)
202-564-5584

From: Gunasekara, Mandy
Sent: April 02, 2018 8:46 AM
To: Wehrum, Bill <Wehrum.Bill@epa.gov>; Charmley, William <charmley.william@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>
Cc: Simon, Karl <Simon.Karl@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Moran, Robin <moran.robin@epa.gov>
Subject: RE: Updated draft Reconsideration notice for review

Ex. 5 - Deliberative Process

From: Wehrum, Bill
Sent: Monday, April 2, 2018 8:37 AM
To: Charmley, William <charmley.william@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>
Cc: Simon, Karl <Simon.Karl@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Moran, Robin <moran.robin@epa.gov>
Subject: RE: Updated draft Reconsideration notice for review

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Thanks again.

From: Charmley, William

Sent: Sunday, April 1, 2018 7:06 PM

To: Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>

Cc: Simon, Karl <Simon.Karl@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Moran, Robin <moran.robin@epa.gov>

Subject: Updated draft Reconsideration notice for review

Dear Bill, Mandy and Chris –

Attached is the revised draft Reconsideration Notice for the midterm evaluation. Chris is also going to review this evening, as he has not reviewed all of our updates from this weekend.

The RLSO is a redline/strikeout compared to the version we received Friday from OMB. The comment field “author” is from the interagency review. All other comments are from EPA, and all of the redline/strikeout is from EPA.

Also attached is a clean version.

Per our discussion with Bill on Saturday morning, our goal is to send a revised document to OMB for final interagency review and clearance first thing Monday morning.

Thanks
Bill Charmley

Message

From: Moran, Robin [moran.rob@epa.gov]
Sent: 4/3/2018 6:14:19 PM
To: Midterm Review [Midterm_Review@epa.gov]
Subject: FW: MTE Announcement News Clips

From: Mylan, Christopher
Sent: Tuesday, April 03, 2018 1:43 PM
To: Grundler, Christopher <grundler.christopher@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Charmley, William <charmley.william@epa.gov>; Sargeant, Kathryn <sargeant.kathryn@epa.gov>; Storhok, Ines <storhok.ines@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>; Manners, Mary <manners.mary@epa.gov>; Cohen, Janet <cohen.janet@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Haugen, David <haugen.david@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Moltzen, Michael <Moltzen.Michael@epa.gov>; Henning, Julie <henning.julie@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>; Hula, Aaron <Hula.Aaron@epa.gov>; Bunker, Amy <Bunker.Amy@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Hoyer, Marion <hoyer.marion@epa.gov>; Cullen, Angela <cullen.angela@epa.gov>; Nam, Ed <nam.ed@epa.gov>; Zaremski, Sara <zaremski.sara@epa.gov>; Wehrly, Linc <wehrly.linc@epa.gov>; Moran, Robin <moran.rob@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Millett, John <Millett.John@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Bolon, Kevin <Bolon.Kevin@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Kenausis, Kristin <Kenausis.Kristin@epa.gov>; Keller, Jennifer <Keller.Jennifer@epa.gov>
Subject: MTE Announcement News Clips

Hello Everyone,

Here's a collection of news clips reporting on today's MTE announcement –

EPA Press Release: [EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised](#)

USA Today: [Trump's EPA seeks to cut Obama rules on gas mileage in cars, trucks](#)

Wall Street Journal: [EPA Will Ease Vehicle-Emissions Standards](#)

Huffington Post: [EPA To Gut The Only Major Federal Rule To Cut Climate Pollution From Vehicles](#)

CBS (New York): [EPA To Ease Back Emissions Standards](#)

The Detroit News: [EPA puts the brakes on Obama-era mpg rules](#)

LA Times: [Trump administration moves on two fronts to challenge California environmental protections](#)

The Hill: [Pruitt rallies auto industry on emissions plan](#)

Driving: [Motor Mouth: Making sense of the EPA's threat to fuel economy standards](#)

Fleet Owner: [Rolling back GHG light vehicle rules: what does it mean for trucking?](#)

Automotive News: [EPA orders revised CAFE targets, may revoke California's waiver](#)

Christopher Mylan
Communications Specialist
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
Phone: (202) 564-7411

Message

From: Charmley, William [charmley.william@epa.gov]
Sent: 4/2/2018 1:12:57 PM
To: Sutton, Tia [sutton.tia@epa.gov]; Hengst, Benjamin [Hengst.Benjamin@epa.gov]
CC: Simon, Karl [Simon.Karl@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Kataoka, Mark [Kataoka.Mark@epa.gov]; Orlin, David [Orlin.David@epa.gov]; Wysor, Tad [wysor.tad@epa.gov]; Burch, Julia [Burch.Julia@epa.gov]; Moran, Robin [moran.robin@epa.gov]
Subject: Revised RLSO of Final Determination - ready to go to OMB
Attachments: EPA revised Final Determination for interagency review, April 2.docx

Ben and Tia –

Here is the document. This is ready to go to OMB.

Thanks
Bill

Message

From: Charmley, William [charmley.william@epa.gov]
Sent: 4/2/2018 1:06:56 PM
To: Wehrum, Bill [Wehrum.Bill@epa.gov]; Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]
CC: Simon, Karl [Simon.Karl@epa.gov]; Sutton, Tia [sutton.tia@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Kataoka, Mark [Kataoka.Mark@epa.gov]; Orlin, David [Orlin.David@epa.gov]; Wysor, Tad [wysor.tad@epa.gov]; Hengst, Benjamin [Hengst.Benjamin@epa.gov]; Burch, Julia [Burch.Julia@epa.gov]; Moran, Robin [moran.robin@epa.gov]
Subject: RE: Updated draft Reconsideration notice for review

Bill and Mandy –

Ex. 5 - Deliberative Process

Thanks
Bill

From: Wehrum, Bill
Sent: Monday, April 02, 2018 8:37 AM
To: Charmley, William <charmley.william@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>
Cc: Simon, Karl <Simon.Karl@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Moran, Robin <moran.robin@epa.gov>
Subject: RE: Updated draft Reconsideration notice for review

Bill – I’ve reviewed the new redline. Excellent job. This document very nicely addresses the issues we discussed on Saturday. Thanks to everyone, especially, Chris L., Tad, Jeff, and Mike. As I said yesterday, above and beyond the call of duty on a holiday weekend.

Ex. 5 - Deliberative Process

Thanks again.

From: Charmley, William

Sent: Sunday, April 1, 2018 7:06 PM

To: Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>

Cc: Simon, Karl <Simon.Karl@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Moran, Robin <moran.robin@epa.gov>

Subject: Updated draft Reconsideration notice for review

Dear Bill, Mandy and Chris –

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Also attached is a clean version.

Per our discussion with Bill on Saturday morning, our goal is to send a revised document to OMB for final interagency review and clearance first thing Monday morning.

Thanks
Bill Charmley

Message

From: Moran, Robin [moran.robin@epa.gov]
Sent: 4/3/2018 2:20:31 PM
To: Midterm Review [Midterm_Review@epa.gov]
Subject: FW: Pruitt to talk about MTE at 10:30 (this via twitter)

Hi team, this just in. I don't know anything more than what's in the email below. There's a link to the "event", which I'm just planning to watch from my desk, and you should feel free to as well if you have time/interest.

From: Birgfeld, Erin
Sent: Tuesday, April 03, 2018 9:59 AM
To: Mylan, Christopher <Mylan.Christopher@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Charmley, William <charmley.william@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>
Cc: French, Roberts <french.roberts@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Blubaugh, Jim <Blubaugh.Jim@epa.gov>
Subject: Pruitt to talk about MTE at 10:30 (this via twitter)

WATCH LIVE AT 10:30 ET: EPA Administrator Pruitt talks about setting a national standard for auto emissions to help create certainty for the auto industry. [epa.gov/live](https://www.epa.gov/live)

Erin Birgfeld
Communications Director
Office of Transportation and Air Quality
U.S. EPA

202-564-6741 (work)
202-255-4434 (cell)

Message

From: Birgfeld, Erin [Birgfeld.Erin@epa.gov]
Sent: 4/3/2018 1:59:18 PM
To: Mylan, Christopher [Mylan.Christopher@epa.gov]; Hengst, Benjamin [Hengst.Benjamin@epa.gov]; Moran, Robin [moran.robin@epa.gov]; Charmley, William [charmley.william@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]
CC: French, Roberts [french.roberts@epa.gov]; Sutton, Tia [sutton.tia@epa.gov]; Burch, Julia [Burch.Julia@epa.gov]; Blubaugh, Jim [Blubaugh.Jim@epa.gov]
Subject: Pruitt to talk about MTE at 10:30 (this via twitter)

WATCH LIVE AT 10:30 ET: EPA Administrator Pruitt talks about setting a national standard for auto emissions to help create certainty for the auto industry. [epa.gov/live](https://www.epa.gov/live)

Erin Birgfeld
Communications Director
Office of Transportation and Air Quality
U.S. EPA

202-564-6741 (work)
202-255-4434 (cell)

Message

From: Birgfeld, Erin [Birgfeld.Erin@epa.gov]
Sent: 4/3/2018 1:40:12 PM
To: Moran, Robin [moran.robin@epa.gov]; Mylan, Christopher [Mylan.Christopher@epa.gov]; Charmley, William [charmley.william@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]
Subject: RE: Today's MTE event cancelled?

Millett says that Bill W's calendar doesn't show him going to an event today. That provides further evidence that the event is cancelled. Not surprisingly, we don't have an actual update on the event or lack of one from OPA though.

From: Moran, Robin
Sent: Tuesday, April 03, 2018 8:53 AM
To: Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>
Subject: Today's MTE event cancelled?

...according to the NY Times...does anyone know otherwise?

“Mr. Pruitt had been expected to publicly announce the effort on Tuesday at a Chevrolet dealership in suburban Virginia. But those plans were complicated by an angry pushback from some Chevy dealerships who were reluctant to see the brand associated with the announcement, according to two Chevy dealers who spoke on condition of anonymity, citing their relationship with General Motors. Late on Monday, the Virginia dealership, Pohanka Chevrolet in Chantilly, said the E.P.A. event it had planned to host had been canceled.”

<https://www.nytimes.com/2018/04/02/climate/trump-auto-emissions-rules.html>

Robin Moran
Senior Policy Advisor
U.S. EPA, Office of Transportation and Air Quality
2000 Traverwood Dr.
Ann Arbor, MI 48105
(734) 214-4781 (phone)

Message

From: Sutton, Tia [sutton.tia@epa.gov]
Sent: 4/2/2018 5:51:11 PM
To: Hengst, Benjamin [Hengst.Benjamin@epa.gov]; Moran, Robin [moran.robin@epa.gov]; Simon, Karl [Simon.Karl@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Charmley, William [charmley.william@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Wysor, Tad [wysor.tad@epa.gov]
CC: Grundler, Christopher [grundler.christopher@epa.gov]; Kataoka, Mark [Kataoka.Mark@epa.gov]; Burch, Julia [Burch.Julia@epa.gov]; Cook, Leila [cook.leila@epa.gov]
Subject: Next steps for Final Determination
Importance: High

All,

Just want to make sure we're all set on next steps:

- Chris L/Robin will do another redline just to triple check that we got all the edits, good eye Mark (and my apologies – my computer went crazy, but thought we had resolved everything and I had all the edits accounted for)
- Let's use that version as our passback version – with edits just discussed in the meeting with Bill
 - If there's time, let's go ahead and double-space that and I will add the signature formatting in and clearance headers in (so that we can move ASAP if OMB accepts the edits)
 - Bill W & Mandy are calling Rosario now, and will let us know if there's anything we need to add/delete in the document
- From here, OMB will ask to see a final redline & clean version to bless. If all's good, we'll ship to OP to upload right away and then get the signature package moving downstairs.
- Mandy noted that OPA would like to put out the press release within the hour, so this may all move rather fast!

From: Hengst, Benjamin
Sent: Monday, April 02, 2018 1:10 PM
To: Moran, Robin <moran.robin@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Charmley, William <charmley.william@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>
Cc: Grundler, Christopher <grundler.christopher@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Cook, Leila <cook.leila@epa.gov>
Subject: FW: EPA passback of Final Determination

OTAQ +OGC only (took Bill and Mandy off)

From: Sutton, Tia
Sent: Monday, April 2, 2018 1:08 PM
To: Wehrum, Bill <Wehrum.Bill@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>
Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: RE: EPA passback of Final Determination

All- redline of the new edits from OIRA (vs. the passback we sent this morning) is attached. Line edits on the following pages:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Wehrum, Bill

Sent: Monday, April 02, 2018 12:35 PM

To: Sutton, Tia <sutton.tia@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>

Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>

Subject: FW: EPA passback of Final Determination

Tia – Will you please run a redline of this document versus the one we sent this morning? Thanks.

From: Achanta, Chandana L. EOP/OMB

Ex. 6 - Personal Privacy

Sent: Monday, April 2, 2018 12:33 PM

To: Sutton, Tia <sutton.tia@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Charmley, William <charmley.william@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>

Cc: Theroux, Rich P. EOP/OMB <Ex. 6 - Personal Privacy>; Laity, Jim A. EOP/OMB

<Ex. 6 - Personal Privacy>; Palmieri, Rosario A. EOP/OMB <Ex. 6 - Personal Privacy>

Subject: RE: EPA passback of Final Determination

Thanks a lot, Tia!

Attached is a follow-up summary of interagency comments received on the draft MTE under EO 12866 review. These are subject to further policy review.

Thanks
Chandana

From: Sutton, Tia <sutton.tia@epa.gov>

Sent: Monday, April 2, 2018 9:24 AM

To: Laity, Jim A. EOP/OMB <Ex. 6 - Personal Privacy>; Achanta, Chandana L. EOP/OMB

<Ex. 6 - Personal Privacy>

Cc: Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Charmley, William <charmley.william@epa.gov>

Subject: EPA passback of Final Determination

Hi Jim and Chandana,
Attached is EPA's passback for your review.

Thanks,
Tia

Message

From: Birgfeld, Erin [Birgfeld.Erin@epa.gov]
Sent: 3/23/2018 8:36:33 PM
To: Moran, Robin [moran.robin@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Sutton, Tia [sutton.tia@epa.gov]; Mylan, Christopher [Mylan.Christopher@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]
CC: Burch, Julia [Burch.Julia@epa.gov]; Hengst, Benjamin [Hengst.Benjamin@epa.gov]; Millett, John [Millett.John@epa.gov]
Subject: Passing the pen on the MTE Comms materials over to Ben
Attachments: MTE - reconsideration roll out 3-23.docx; MTE Press Release Draft 3-23.docx

Hi MTE team,

Thanks for your input to the MTE comms information. In particular thanks to Chris L. for the Q and A document, and I have incorporated those into the general roll out document. As we know the final FR notice is still a moving target so these docs will need to be updated accordingly to track the changes. For now I'll pass the pen over to Ben H. who will shepherd the docs over the next week. The current docs are attached here.

Have a great week,
Erin

Erin Birgfeld
Communications Director
Office of Transportation and Air Quality
U.S. EPA

202-564-6741 (work)
202-255-4434 (cell)

Message

From: Mylan, Christopher [Mylan.Christopher@epa.gov]
Sent: 4/3/2018 5:42:59 PM
To: Grundler, Christopher [grundler.christopher@epa.gov]; Hengst, Benjamin [Hengst.Benjamin@epa.gov]; Cook, Leila [cook.leila@epa.gov]; Charmley, William [charmley.william@epa.gov]; Sargeant, Kathryn [sargeant.kathryn@epa.gov]; Storhok, Ines [storhok.ines@epa.gov]; Bunker, Byron [bunker.byron@epa.gov]; Manners, Mary [manners.mary@epa.gov]; Cohen, Janet [cohen.janet@epa.gov]; Sutton, Tia [sutton.tia@epa.gov]; Burch, Julia [Burch.Julia@epa.gov]; Haugen, David [haugen.david@epa.gov]; Simon, Karl [Simon.Karl@epa.gov]; Moltzen, Michael [Moltzen.Michael@epa.gov]; Henning, Julie [henning.julie@epa.gov]; Snapp, Lisa [snapp.lisa@epa.gov]; Hula, Aaron [Hula.Aaron@epa.gov]; Bunker, Amy [Bunker.Amy@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Hoyer, Marion [hoyer.marion@epa.gov]; Cullen, Angela [cullen.angela@epa.gov]; Nam, Ed [nam.ed@epa.gov]; Zaremski, Sara [zaremski.sara@epa.gov]; Wehrly, Linc [wehrly.linc@epa.gov]; Moran, Robin [moran.robin@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Millett, John [Millett.John@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]; Bolon, Kevin [Bolon.Kevin@epa.gov]; Birgfeld, Erin [Birgfeld.Erin@epa.gov]; Kenausis, Kristin [Kenausis.Kristin@epa.gov]; Keller, Jennifer [Keller.Jennifer@epa.gov]
Subject: MTE Announcement News Clips

Hello Everyone,

Here's a collection of news clips reporting on today's MTE announcement –

EPA Press Release: [EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised](#)

USA Today: [Trump's EPA seeks to cut Obama rules on gas mileage in cars, trucks](#)

Wall Street Journal: [EPA Will Ease Vehicle-Emissions Standards](#)

Huffington Post: [EPA To Gut The Only Major Federal Rule To Cut Climate Pollution From Vehicles](#)

CBS (New York): [EPA To Ease Back Emissions Standards](#)

The Detroit News: [EPA puts the brakes on Obama-era mpg rules](#)

LA Times: [Trump administration moves on two fronts to challenge California environmental protections](#)

The Hill: [Pruitt rallies auto industry on emissions plan](#)

Driving: [Motor Mouth: Making sense of the EPA's threat to fuel economy standards](#)

Fleet Owner: [Rolling back GHG light vehicle rules: what does it mean for trucking?](#)

Automotive News: [EPA orders revised CAFE targets, may revoke California's waiver](#)

Christopher Mylan
 Communications Specialist
 Office of Transportation and Air Quality
 U.S. Environmental Protection Agency
 Phone: (202) 564-7411

Message

From: Moran, Robin [moran.robin@epa.gov]
Sent: 4/9/2018 4:40:41 PM
To: Lieske, Christopher [lieske.christopher@epa.gov]
CC: Alson, Jeff [alson.jeff@epa.gov]; Snapp, Lisa [snapp.lisa@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Bolon, Kevin [Bolon.Kevin@epa.gov]
Subject: FW: National Coalition for Advanced Transportation (NCAT) Letter re Fuel Economy and Greenhouse Gas Standards
Attachments: NCAT Letter April 9 2018.pdf

Hi Chris, can you put this in the docket?

From: ROBERT.WYMAN@lw.com [mailto:ROBERT.WYMAN@lw.com]
Sent: Monday, April 09, 2018 12:12 PM
To: elaine.chao@dot.gov; Pruitt, Scott <Pruitt.Scott@epa.gov>; heidi.king@dot.gov; Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Jim Tamm <james.tamm@dot.gov>; jane.doherty@dot.gov; jimmi.nassar@dot.gov; ryan.posten@dot.gov; steve.wood@dot.gov; Grundler, Christopher <grundler.christopher@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Charmley, William <charmley.william@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Feeley, Drew (Robert) <Feeley.Drew@epa.gov>; Secretariescheduler@dot.gov
Subject: National Coalition for Advanced Transportation (NCAT) Letter re Fuel Economy and Greenhouse Gas Standards

On behalf of the ***National Coalition for Advanced Transportation*** (NCAT), we are submitting herewith a letter to Administrator Pruitt and Secretary Chao regarding the Mid-Term Evaluation Notice and upcoming rulemakings regarding fuel economy and greenhouse gas emissions standards for light-duty motor vehicles.

Thank you for your consideration.

Robert A. Wyman, Jr.
LATHAM & WATKINS LLP
 Email: robert.wyman@lw.com

355 South Grand Avenue
 Los Angeles, CA 90071-1560
 Direct: +1.213.891.8346

555 Eleventh Street, NW
 Washington, DC 20004-1304
 Direct: +1.202.654.7119

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Latham & Watkins LLP



April 9, 2018

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code: 1101A
Washington, D.C. 20460

The Honorable Elaine L. Chao
Secretary
U.S. Department of Transportation
1200 New Jersey Ave, S.E.
Washington, D.C. 20590

Re: EPA Mid-Term Evaluation and Upcoming Joint Rulemaking

Dear Administrator Pruitt and Secretary Chao:

As members of the *National Coalition for Advanced Transportation (NCAT)*, we write in response to the U.S. Environmental Protection Agency's April 2, 2018 Notice regarding the Mid-Term Evaluation of its Model-Year (MY) 2022-2025 greenhouse gas emission standards for light-duty vehicles (MTE Notice) and the upcoming joint rulemaking described in the notice.

The United States is undergoing an unprecedented transformation of its economy, including the simultaneous reshaping of both the transportation and energy sectors. No country is better positioned to lead the world in creating and building the transportation system of the future. We are confident that we will succeed beyond any past measure if we do not falter in our commitment to deliver to consumers anywhere in the world the highest-performance, smartest and cleanest vehicles and, consistent with this Administration's goals, the modern infrastructure needed to support them. While the MTE Notice identifies a range of uncertainties associated with this pivotal period of technology transition, we firmly believe that weakening fuel economy or greenhouse gas standards in reaction to short-term uncertainties would be self-defeating and wholly inconsistent with our shared goals of strengthening U.S. competitiveness, growing jobs and protecting our current technological superiority.

NCAT stands ready to work with you and the Administration to find a path forward that addresses any short-term challenges while preserving, and indeed accelerating, the transportation and energy transformation that consumers eagerly seek and that will help secure America's technology leadership for decades. We ask that you engage with NCAT, its members, and other stakeholders in a robust dialogue regarding how to ensure that these standards continue to reward innovation and preserve and strengthen stable growth of advanced vehicle technologies.

NCAT is a coalition of companies that supports electric vehicle (EV) and other advanced transportation technologies and related infrastructure, including business leaders engaged in energy supply, transmission and distribution; vehicle and component design and manufacturing; and charging infrastructure production and implementation, among other activities. Our members support government initiatives, including federal and state vehicle standards, that provide regulatory, financial, infrastructure and other support for emerging EV and other clean vehicle technologies to compete in the marketplace. NCAT also recognizes the critical role that California and other states play in adopting and implementing vehicle standards that support advanced technologies. Such state leadership has historically ensured that the United States remained on the cutting edge of technology development, and we see no reason to reconsider that approach at this key juncture. If stakeholders work together, we firmly believe that state and federal interests can remain aligned to ensure ongoing regulatory certainty and stable, long-term signals to guide investment.

NCAT's members are concerned by, and strongly disagree with, many of the statements in EPA's MTE Notice regarding the availability, affordability, consumer acceptance and benefits of EV technologies. EV and related technologies and infrastructure provide major economic and energy security benefits, and U.S. leadership in this space is critical to our economic health, global competitiveness and environmental quality. As detailed in our October 5, 2017 comments to EPA on its reconsideration of the January 2017 Mid-Term Evaluation final determination, there have been substantial advances in EV technologies and corresponding decreases in costs since 2012. Sales of these vehicles are increasing significantly, demonstrating growing consumer demand. U.S. and other manufacturers are scaling up investments and rapidly expanding their EV offerings across a range of vehicle types and price points. Range, performance, options and affordability are all improving rapidly, making EVs increasingly attractive to consumers. The simultaneous rapid development of autonomous vehicle technologies and on-demand transportation, both of which work synergistically with EV technologies, signal the beginning of a major transformation in our transportation system. In recognition of these trends, governments across the world are announcing policies to transition away from conventional vehicles and towards EVs, creating a race among manufacturers to capture the expanding global market for these vehicles.

To win that race, the United States must establish and maintain leadership through robust, long-term fuel economy and greenhouse gas standards at the federal level. When the current standards were adopted in 2012, it was clear that this Mid-Term Evaluation would find us where we are now – in the early stages of a transition from predominant reliance on efficiency improvements in conventional vehicles to increasingly greater reliance on EVs. While it may be tempting to look to short-term signals, the federal greenhouse gas emissions and fuel economy programs are intended to take the longer view. When we do take that longer view, all signs clearly support our readiness to make this transition. Failure to recognize, embrace and support these trends presents serious risks that the United States will lose its role as a global leader in these technologies of the future.

NCAT respectfully requests that you work closely with our members and other stakeholders in the period leading up to issuance of a proposed rule for the MY 2022-25 standards. These issues are too important and the stakes are too high to rely exclusively on the notice-and-comment rulemaking process to reach outcomes that meet our shared objectives. A more iterative,

interactive and inclusive dialogue is needed. We stand ready to work with you and others to identify solutions that can address any near-term challenges while preserving the benefits of the current standards and strengthening long-term growth of EVs and other advanced technologies.

Thank you for your consideration.

Sincerely,



Robert A. Wyman
Devin O'Connor
Latham & Watkins LLP
Counsel to NCAT
555 11th Street, NW
Washington, DC 20004-1304

National Coalition for Advanced Transportation (<https://www.lwnecat.com>)

Ampaire
Atlantic City Electric
Baltimore Gas & Electric
Commonwealth Edison Company
Delmarva Power
Edison International
EVgo
Exelon
Los Angeles Department of Water & Power
Pacific Gas and Electric Company
PECO
PEPCO
Portland General Electric
Sacramento Municipal Utility District
Tesla
Workhorse

Message

From: Mylan, Christopher [Mylan.Christopher@epa.gov]
Sent: 4/9/2018 4:05:15 PM
To: Mylan, Christopher [Mylan.Christopher@epa.gov]
Subject: OTAQ Daily News Brief

Good Afternoon,

Welcome to OTAQ's daily news listserv. The OTAQ Daily News Brief compiles articles from around the world focused on our office's work; this includes everything from light-duty/heavy-duty vehicles, electric vehicles, air quality studies, aircrafts, boats and ships, to alternative fuels, and of course, climate change. If you'd like to be removed or would like to add another person to the listserv please contact Christopher Mylan at mylan.christopher@epa.gov. Feedback is welcomed. Thanks and enjoy!

Biodiesel sees mixed bag in China trade fight

Marc Heller, E&E News reporter

U.S. soybean farmers are on edge about the Trump administration's trade spat with China. One aspect of their business, though — biodiesel — isn't necessarily sharing the gloom yet.

The biodiesel industry might even benefit, sources close to the business say.

That's because prices for soybean oil may fall if the United States loses China as a trade partner for soybeans and suddenly faces a soy surplus at home, said Patrick Westhoff, director of the Food and Agricultural Policy Research Institute at the University of Missouri.

Biodiesel plants wouldn't have to pay as much for soybean oil, which constitutes about half of biodiesel manufacturers' raw material, according to the National Biodiesel Board. The rest comes from a mix of recycled vegetable oil, canola and other sources.

Trump taps negotiator on fuel standards to head safety agency

Maxine Joselow, E&E News reporter

President Trump intends to nominate Heidi King to be administrator of the National Highway Traffic Safety Administration. King, a former General Electric Co. executive and House Energy and Commerce Committee economist, currently serves as deputy administrator of NHTSA.

In that No. 2 role, King has helped lead negotiations for revised fuel economy standards among NHTSA, U.S. EPA and the California Air Resources Board.

In His Haste to Roll Back Rules, Scott Pruitt, E.P.A. Chief, Risks His Agenda

By Coral Davenport and Lisa Friedman, New York Times

(Full Article) As ethical questions threaten the Environmental Protection Agency administrator, Scott Pruitt, President Trump has defended him with a persuasive conservative argument: Mr. Pruitt is doing a great job at what he was hired to do, roll back regulations.

But legal experts and White House officials say that in Mr. Pruitt's haste to undo government rules and in his eagerness to hold high-profile political events promoting his agenda, he has often been less than rigorous in following important procedures, leading to poorly crafted legal efforts that risk being struck down in court.

The result, they say, is that the rollbacks, intended to fulfill one of the president's central campaign pledges, may ultimately be undercut or reversed.

"In their rush to get things done, they're failing to dot their i's and cross their t's. And they're starting to stumble over a lot of trip wires," said Richard Lazarus, a professor of environmental law at Harvard. "They're producing a lot of short, poorly crafted rulemakings that are not likely to hold up in court."

Six of Mr. Pruitt's efforts to delay or roll back Obama-era regulations — on issues including pesticides, lead paint and renewable-fuel requirements — have been struck down by the courts. Mr. Pruitt also backed down on a proposal to delay implementing smog regulations and another to withdraw a regulation on mercury pollution.

The courts, for instance, found that the E.P.A. had ignored clear legal statutes when they ruled that Mr. Pruitt had illegally delayed a regulation curbing methane emissions from new oil and gas wells and that the agency had broken the law by missing a deadline last year to enact ozone restrictions.

In other cases — including one in which a federal court ordered the E.P.A. to act on a Connecticut request to reduce pollution from a Pennsylvania power plant, and one where judges demanded quick action from the agency on new lead paint standards — the courts warned Mr. Pruitt that avoiding enacting regulations already on the books was an inappropriate effort to repeal a rule without justifying the action.

"The E.P.A. has a clear duty to act," a panel of judges of the San Francisco-based Court of Appeals for the 9th Circuit wrote in a 2-1 decision finding that the agency must revise its lead paint standards in 90 days, as regulations required. The agency had tried to delay the revisions for six years.

In an interview on Friday, the White House spokeswoman, Sarah Huckabee Sanders, said that Mr. Trump felt that Mr. Pruitt had done a satisfactory job at the EPA. Her comments suggested that Mr. Pruitt's work checking off items on the president's agenda — including rolling back a large number of environmental protections — may weigh heavily as a counterbalance to the ethics questions related to his travel expenses, management practices and his rental of a living space from the wife of a prominent lobbyist.

Describing Mr. Trump's view of Mr. Pruitt, she said: "He likes the work product."

@realDonaldTrump

While Security spending was somewhat more than his predecessor, Scott Pruitt has received death threats because of his bold actions at EPA. Record clean Air & Water while saving USA Billions of Dollars. Rent was about market rate, travel expenses OK. Scott is doing a great job!

Liz Bowman, an E.P.A. spokeswoman, disputed the criticisms of the agency's work. "E.P.A. does its due diligence, consults with O.M.B. and other federal agencies to ensure that its work is legally defensible," she said in an email, referring to the Office of Management and Budget, the office that coordinates and evaluates policy across the executive branch.

One of the chief examples cited by Mr. Pruitt's critics came this week when the E.P.A. filed its legal justification for what is arguably the largest rollback of an environmental rule in the Trump administration: the proposed undoing of an Obama-era regulation aimed at cutting pollution of planet-warming greenhouse gases from vehicle tailpipes.

Mr. Pruitt made his case for the rollback in a 38-page document filed on Tuesday that, experts say, was devoid of the kind of supporting legal, scientific and technical data that courts have shown they expect to see when considering challenges to regulatory changes.

"There's an incredible lack of numbers," said James McCargar, a former senior policy analyst at the E.P.A. who worked on vehicle emissions programs and remains in close touch with career staffers who work on those programs. "If this gets challenged in court, I just don't see how they provide anything that gives a technical justification to undo the rule."

The rules Mr. Pruitt is targeting would require automakers to nearly double the average fuel economy of passenger vehicles to 54.5 miles per gallon by 2025. Automakers have argued the rule is onerous, forcing them to invest heavily in building hybrid and electric vehicles.

As part of the process, Mr. Pruitt filed the 38-page document, which is meant to supply the government's legal justification for rolling back the rule. About half the document consists of quotations from automakers laying out their objections to the rule. By comparison, the Obama administration's 1,217-page document justifying its implementation of the regulation included technical, scientific and economic analyses justifying the rule.

Experts in environmental policy said the lack of analytical arguments in this week's E.P.A. filing surprised them. "This document is unprecedented," said Mr. McCargar, the former E.P.A. senior policy analyst. "The E.P.A. has just never done anything like this."

John M. DeCicco, a professor of engineering and public policy at the University of Michigan Energy Institute, said the filing was a departure from the practices of previous Republican and Democratic administrations.

"A president or an administrator or somebody can't just say, 'I'm going to change the rule,' without justifying it very, very carefully," Mr. DeCicco said. "As a scientist who's worked on these issues, I'm saying, where are the numbers? Where's the data?"

Most of the document consists of arguments quoting directly from public comments made by automaker lobbyists, the Alliance of Automobile Manufacturers and the Global Automakers, that the pollution rules will be unduly burdensome on the auto industry, as well as public comments from Toyota, Fiat Chrysler, Mercedes-Benz and Mitsubishi.

While it does include arguments opposing the regulatory rollback from groups including the Union of Concerned Scientists and the state of California, it does not contain what environmental experts say is the critical element of a legally strong justification for changing an E.P.A. regulation: Technical analysis of both sides of the argument leading to a conclusion aimed at persuading a judge that the change is defensible.

Seth Michaels, a spokesman for the Union of Concerned Scientists, suggested that, in its reuse of arguments by the automakers' lobby, the emissions-rollback document echoed Mr. Pruitt's modus operandi when he was the Oklahoma Attorney General.

"It's reminiscent of the 2011 letter Scott Pruitt sent as Oklahoma AG to the E.P.A., in which he took a letter drafted by lawyers for Devon Energy and stuck his name on it with minimal edits," Mr. Michaels said.

A 2014 investigation by The Times found that lobbyists for Devon Energy, an Oklahoma oil and gas company, drafted letters for Mr. Pruitt to send to the E.P.A., the Interior Department, the Office of Management and Budget and President Obama, outlining the economic hardship of various environmental rules.

Between 2011 and 2017, Mr. Pruitt filed suit against the E.P.A. 14 times, and lost almost all of the cases.

Most were filed in conjunction with the Republican attorneys general of a dozen or more other states, making it difficult to know precisely which legal arguments his office contributed, legal experts said. Mr. Pruitt frequently took a lead role in the cases.

In the end, “a lot of those arguments were losers,” said Richard L. Revesz, an expert in environmental law at New York University.

In particular, Mr. Revesz noted a case brought by the group against President Obama’s signature climate change regulation, the Clean Power Plan, which Mr. Pruitt is now working to overturn from within the E.P.A. The lawsuit challenged a draft proposal of the regulation, which was an unprecedented move that a federal court quickly struck down, saying that they could not legally challenge a draft.

While the attorneys general, including Mr. Pruitt, garnered media attention for the case, “The argument they had was ludicrous,” Mr. Revesz said.

The group did, however, score one major victory: After the Obama administration issued its final version of the Clean Power Plan, it successfully petitioned the Supreme Court to temporarily halt implementation of the rule.

Since taking the helm of E.P.A., Mr. Pruitt has barnstormed the country, meeting with farmers, coal miners and local leaders and promising an end to his predecessor’s regulatory approach. He also has favored closed-door policy speeches to conservative think tanks, like the Heritage Foundation, to roll out policy initiatives.

The Heritage Foundation was the venue Mr. Pruitt chose this year to say that he would make changes to how scientific studies are considered at the agency. Both critics and supporters of Mr. Pruitt said that, by making the proposal in a political fashion rather than changing the rules in a quieter but potentially more lasting way means that changes like these are more vulnerable to being undone by a future administration.

Environmental groups have welcomed Mr. Pruitt’s court losses. Joanne Spalding, chief climate counsel for the Sierra Club, said she was pleased by what she called “sloppy” and “careless” E.P.A. legal work. “It’s fine with us,” she said. “Do a bad job repealing these things, because then we get to go to court and win.”

Thomas J. Pyle, a supporter of Mr. Pruitt’s and the president of the Institute for Energy Research, a think tank that promotes fossil fuels, described that as spin. “The environmental left portrays Scott Pruitt as a devil incarnate in their fund-raising solicitations, yet brag about how ineffective he is in dismantling Obama’s climate rules,” he said. “Which is it?”

Still, some conservatives said they were worried that Mr. Pruitt was more interested in media attention than policy and feared more legal losses. “If the goal is to generate temporary relief and to make a splash, then what they’re doing is terrifically fine,” said Jonathan H. Adler, director of the Center for Business Law & Regulation at Case Western Reserve University School of Law.

But if the Trump administration wants to permanently change the regulatory environment for business, he said, the E.P.A. cannot take such a “quick and dirty approach” to unraveling regulations. “I’m suspicious that two, three years down the road there’s going to be much to show for all the fireworks we’re getting now,” Mr. Adler said.

Timothy Puko, Wall Street Journal

(Full Article) Trump administration is pursuing ways to protect domestic vehicle manufacturing by forcing imported cars to meet stricter environmental rules when entering the country, according to senior administration and industry officials, a move that would make imports more expensive.

The cost of meeting the stiffer import standards would, at least in part, be passed along to U.S. consumers. This style of “nontariff barrier”—a protectionist stratagem the U.S. has long condemned in other countries—is designed to reduce the relative cost of cars manufactured in the U.S., by American workers, the officials said.

President Donald Trump has asked the Environmental Protection Agency and several other agencies, including the Commerce and Transportation departments, to pursue plans to use such laws as the Clean Air Act to subject cars made overseas to strict emissions-standards testing and reviews when entering the U.S. The rules could effectively require more expensive technology on some foreign cars or subject those cars to more expensive hurdles that can be billed to the manufacturer or importer.

Either option would likely raise the costs for foreign cars sold in the U.S., making domestically produced cars cheaper by comparison. This effect of raising prices on consumers is common to most nontariff barriers, which seek to penalize imports through measures other than tariffs or duties.

The initiative remains in the planning stages and still faces hurdles to implementation. EPA officials are working now to craft a legal justification that would meet a high requirement of legal rationale, given any proposal is expected to draw lawsuits. Some in the administration see the idea as too radical, and the considerable legal challenges have already delayed the plan.

The White House didn't respond to a request for comment.

Behind some of the administration's thinking is a recent scandal at Volkswagen AG, which has 3.5% of the U.S. market. The German auto giant admitted to cheating on meeting standards limiting air pollution from tailpipes in vehicles with diesel engines. The EPA is exploring whether that scandal gives it legal justification under the Clean Air Act to set tougher rules, though it is also pursuing other alternatives that would have a broader impact.

"Reports that the president has requested input from his cabinet on possible nontariff barriers for vehicle imports to the U.S. is a bad idea and a pretext for protectionism," said John Bozzella, head of Washington lobbying group Global Automakers and spokesman for Here for America, a coalition of companies including Volkswagen, BMW AG and Daimler AG's Mercedes-Benz.

"It will increase prices for consumers and invite retaliatory actions by other countries," Mr. Bozzella said. "It is ironic the United States now appears to be legitimizing nontariff barriers after working for decades to dismantle them when used by our trading partners. We ask the president to immediately reconsider this action."

The EPA this week moved to ease emissions standards for vehicles sold in the U.S. spanning all auto makers, so any additional strictures for imported cars and trucks could put those manufacturers at a disadvantage. Volkswagen, for instance, has acknowledged using illegal software to cheat on government emissions tests in the U.S. in part because engineers couldn't design diesel-powered vehicles to meet environmental standards. Apart from tougher regulations, stricter testing regimens, too, could financially pressure vehicle importers.

U.S. auto makers and industry lobbyists have complained they are blocked from foreign markets by nontariff barriers. The U.S. car industry claims foreign auto makers face few of these barriers when shipping to the U.S., with Japan and Korea among the biggest targets of these grievances.

If the U.S. responds with barriers of its own, it would provide an incentive to shift as much manufacturing as possible into the U.S. and drive employment—a strategy that has been successful in the past. After Washington and Tokyo feuded over trade in the late 1980s and early 1990s, Japanese car makers made a concerted effort to dramatically increase production in the U.S. and to hire American workers.

Today, Japan's three big auto makers— Honda Motor Co., Toyota Motor Corp. and Nissan Motor Co. —run a combined 11 assembly plants in the U.S., the biggest chunk of the 18 foreign assembly plants supplying the American market. Volkswagen, Korea's Hyundai MotorCo. and Kia Motors Corp. and German luxury giants Daimler AG and BMW AG also operate U.S. factories. Combined with suppliers and dealerships, the number of Americans employed by the foreign automobile sector measures in the millions.

While the White House would like the plan to apply the standards to as many countries as possible, it isn't clear if it would affect cars produced in Canada and Mexico, because they are member countries of the 1994 North American Free Trade Agreement. U.S. manufacturers rely on Nafta factories to source nearly all the products sold at American dealerships. More than 75% of Detroit's sales are trucks or sport-utility vehicles, and those typically have been sourced to local plants.

Still, one of the biggest challenges for policy makers is how to differentiate between foreign and domestic cars. Auto manufacturing is a global industry, with companies often making and shipping parts across borders for assembly elsewhere.

Roughly three-quarters of the 17.1 million vehicles sold in the U.S. are built in Nafta factories, including those in the U.S.—11 million are assembled on U.S. soil. Of the remaining nearly four million shipped from outside North America, 1.7 million come from Japan, 820,000 are shipped from Korea and about a half-million are imported from Germany.

Ford Motor Co. , General Motors Co. and Fiat Chrysler Automobiles NV have been increasingly sourcing from markets outside Nafta—and those efforts could be affected by the administration's nontariff barriers. Ford, for instance, this year began shipping a compact SUV called the EcoSport from India and is expecting to sell significant volumes. That follows Fiat Chrysler's move to ship the wildly popular Jeep Renegade—a small rough-and-tumble off-roader based on Fiat car designs—from Italy to the U.S.

The initial goal was to make a proposal as part of the agency's recently completed review of greenhouse-gas emissions standards for cars and light trucks for model years 2022-2025. That review led the EPA to propose lowering the standards set by the Obama administration last year, but no plans of tougher rules for foreign cars.

—William Mauldin, Chester Dawson and Mike Spector contributed to this article.

Message

From: Charmley, William [charmley.william@epa.gov]
Sent: 4/1/2018 11:06:26 PM
To: Wehrum, Bill [Wehrum.Bill@epa.gov]; Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]
CC: Simon, Karl [Simon.Karl@epa.gov]; Sutton, Tia [sutton.tia@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Kataoka, Mark [Kataoka.Mark@epa.gov]; Orlin, David [Orlin.David@epa.gov]; Wysor, Tad [wysor.tad@epa.gov]; Hengst, Benjamin [Hengst.Benjamin@epa.gov]; Burch, Julia [Burch.Julia@epa.gov]; Moran, Robin [moran.robin@epa.gov]
Subject: Updated draft Reconsideration notice for review
Attachments: Draft FD for AA Wehrum review, April 1 at 7pm, Clean.docx; Draft FD for AA Wehrum review, April 1 at 7pm RLSO.DOCX

Dear Bill, Mandy and Chris –

Attached is the revised draft Reconsideration Notice for the midterm evaluation. Chris is also going to review this evening, as he has not reviewed all of our updates from this weekend.

The RLSO is a redline/strikeout compared to the version we received Friday from OMB. The comment field “author” is from the interagency review. All other comments are from EPA, and all of the redline/strikeout is from EPA.

Also attached is a clean version.

Per our discussion with Bill on Saturday morning, our goal is to send a revised document to OMB for final interagency review and clearance first thing Monday morning.

Thanks
Bill Charmley

Message

From: Moran, Robin [moran.robin@epa.gov]
Sent: 3/13/2018 2:52:56 PM
To: OTAQ Materials [OTAQMaterials@epa.gov]
CC: Charmley, William [charmley.william@epa.gov]; Simon, Karl [Simon.Karl@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Bolon, Kevin [Bolon.Kevin@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Orlin, David [Orlin.David@epa.gov]; Kataoka, Mark [Kataoka.Mark@epa.gov]; Buchsbaum, Seth [buchsbaum.seth@epa.gov]; Barba, Daniel [Barba.Daniel@epa.gov]
Subject: For Chris's Review: Material for today's 2pm AA MTE Update
Attachments: MTE Update with AA Wehrum_Agenda_March 13 2018.docx

Attached for Chris's review is the material for the 2pm MTE Update w/Bill Wehrum.

Thanks,
Robin

Robin Moran
Senior Policy Advisor
U.S. EPA, Office of Transportation and Air Quality
2000 Traverwood Dr.
Ann Arbor, MI 48105
(734) 214-4781 (phone)

Message

From: Moran, Robin [moran.robin@epa.gov]
Sent: 4/3/2018 2:50:45 PM
To: Midterm Review [Midterm_Review@epa.gov]
Subject: FW: OTAQ Daily News Brief -- more articles on the FD

From: Mylan, Christopher
Sent: Tuesday, April 03, 2018 10:33 AM
To: Mylan, Christopher <Mylan.Christopher@epa.gov>
Subject: OTAQ Daily News Brief

Good Morning,

Welcome to OTAQ's daily news listserv. The OTAQ Daily News Brief compiles articles from around the world focused on our office's work; this includes everything from light-duty/heavy-duty vehicles, electric vehicles, air quality studies, aircrafts, boats and ships, to alternative fuels, and of course, climate change. If you'd like to be removed or would like to add another person to the listserv please contact Christopher Mylan at mylan.christopher@epa.gov. Feedback is welcomed. Thanks and enjoy!

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The Environmental Protection Agency announced Monday that the previous administration's rules on auto fuel economy go too far. Under the Obama-era standards, gas mileage would have doubled in new vehicles by 2025. Judy Woodruff learns more from Amy Harder of Axios.

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By Brooke Singman | Fox News

The Obama Administration imposed standards which would have required automakers to nearly double the average fuel economy of new cars and light trucks by the year 2025 to 54.5 miles per gallon; Doug McKelway reports on changes coming to this regulation.

Environmental Protection Agency Administrator Scott Pruitt said Monday it would revise automobile emissions standards set by the Obama administration, slamming the Obama-era EPA as setting too strict standards, which he deemed "not appropriate."

The move, following Pruitt's completion of the Midterm Evaluation process, would weaken greenhouse gas and fuel economy standards for vehicle models for years 2022 through 2025.

"The Obama EPA's determination was wrong," Pruitt said in a statement Monday. "Obama's EPA cut the midterm evaluation process short with politically charged expediency, made assumptions about the standards that didn't comport with reality and set standards too high."

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Timothy Gardner, Reuters

WASHINGTON - The Trump administration on Monday rejected an Obama-era plan to make automobiles more fuel efficient, opening up a long process to weaken current standards and putting California and the federal government on a collision course over vehicle emissions.

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The Obama administration set the average fleet-wide fuel efficiency standards “too high” and “made assumptions about the standards that didn’t comport with reality,” Pruitt said. He did not offer specifics on revising them.

The standards called for roughly doubling by 2025 the average fuel efficiency of new vehicles sold in the United States to about 50 miles (80 km) per gallon. Proponents said they could help spur innovation in clean technologies.

Calling Car Pollution Standards ‘Too High,’ E.P.A. Sets Up Fight With California

By HIROKO TABUCHI, New York Times

(Full article) The Environmental Protection Agency on Monday took steps to challenge California’s decades-old right to set its own air pollution rules, setting up a showdown between the federal government and a state that has emerged as a bulwark against the Trump administration’s policies.

The E.P.A. statement was part of the agency’s widely expected decision to reconsider, and most likely roll back, Obama-era rules requiring automakers to hit ambitious emissions and mileage standards by 2025. The statement, though, was notable for the forcefulness of its language suggesting that the Trump administration would take on California’s authority to set its own rules.

Scott Pruitt, the E.P.A. administrator, signaled that he aimed to make California fall in line. The Obama administration, he said, “made assumptions about the standards that didn’t comport with reality, and set the standards too high.” California’s history of setting its own emissions rules “doesn’t mean that one state can dictate standards for the rest of the country,” Mr. Pruitt said.

A rollback of the rules, which are designed to cut back on emissions of greenhouse gases, would reverse one of the single biggest steps any government has taken to tackle climate change. California has said it will stick with the tougher, Obama-era regulations, a decision that could effectively split the United States into two auto markets: one requiring cars to be more efficient and less polluting than the other.

California has long possessed the unique authority under the 1970 Clean Air Act to write its own air pollution rules. Traditionally, a dozen other states follow California’s air pollution rules and together they represent one-third of the nation’s auto market. That puts California in an extraordinary position to stage a regulatory revolt, with much of the country’s car market in tow.

State officials indicated they would fight the Trump administration. “This is a politically motivated effort to weaken clean vehicle standards,” said Mary Nichols, California’s top air pollution regulator. California, she said, “will vigorously defend the existing clean vehicle standards.”

Xavier Becerra, the state’s attorney general, said the state was “ready to file suit.”

Adopted in 2012, the standards up for revision would have required automakers to nearly double the average fuel economy of new cars and trucks, to 54.5 miles per gallon by 2025. If fully implemented, the rules would have cut oil consumption by about 12 billion barrels over the lifetime of all the cars affected by the regulations and reduced carbon dioxide pollution by about six billion tons.

The E.P.A. on Monday — announcing its official decision to reverse the rules — said that those standards were too expensive for automakers to meet and would ultimately hurt car owners by making vehicles costlier. The agency said that low oil prices meant savings at the pump would be less than forecast, and alluded to concerns that expensive fuel-saving technology could come at the cost of investments in auto safety.

The E.P.A. did not say how far the rules should be rolled back, only that it would start a new rule-making process to set “more appropriate” standards.

The Trump Administration’s action on Monday marked the latest in a series of tensions between California and the federal government. The E.P.A.’s aim to revise the climate change regulations were announced the same day the Justice Department moved to block a California law that regulates the transfer of federal land.

The Justice Department has also filed suit to overturn a California law intended to limit the power of the federal immigration authorities to act against people suspected of being illegal immigrants, and the federal government is seeking to make it easier to drill for oil and gas off the coast of California and other states. Furthermore, the tax overhaul law passed by Congress last year is projected to be particularly damaging for California, because it limits deductions for mortgage interest and state and local taxes, which are particularly high in the state.

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But the fight over auto emissions standards is contentious and unprecedented, said Ann Carlson, a professor of environmental law at U.C.L.A. No administration, Democratic or Republican, has challenged California’s waiver under the Clean Air Act to set its own air quality rules.

“This is uncharted territory,” she said. “California has a long history of leading on auto emissions in a way that has been very productive for the country. California gets out in front and sees if regulations will work before the rest of the country adopts it,” she continued. “The administration is challenging that.”

Leading Democrats condemned the move. “As usual, the administration sides with big, powerful special interests over the interests of average American families, who will pay the price for lower miles per gallon and dirtier air,” said Chuck Schumer, the Senate Democratic Leader, in a statement.

In its defense of the Obama-era rules, California was joined Monday by a coalition of at least seven state attorneys general, including Eric Schneiderman of New York, as well as more than 30 mayors, who said they would “vigorously resist” any effort by the Trump administration to prevent states and cities from enforcing emissions standards. “We are committed to using our market power and our regulatory authority to ensure that the vehicle fleets deployed in our jurisdictions fully meet or exceed the promises made by the auto industry in 2012,” the coalition said.

If the Trump administration were to seek a permanent revocation of California’s authority to set its own rules, legal scholars say, it would require the Clean Air Act legislation to be amended, which only Congress could do. However, the Trump administration is more likely to revoke the more limited, specific waiver granted to California to set its own tailpipe emissions rules until 2025 — something it could try to settle in court.

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Sent: 4/3/2018 2:33:20 PM
To: Mylan, Christopher [Mylan.Christopher@epa.gov]
Subject: OTAQ Daily News Brief

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To: Birgfeld, Erin [Birgfeld.Erin@epa.gov]; Mylan, Christopher [Mylan.Christopher@epa.gov]; Charmley, William [charmley.william@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]
Subject: Today's MTE event cancelled?

...according to the NY Times...does anyone know otherwise?

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<https://www.nytimes.com/2018/04/02/climate/trump-auto-emissions-rules.html>

Robin Moran
Senior Policy Advisor
U.S. EPA, Office of Transportation and Air Quality
2000 Traverwood Dr.
Ann Arbor, MI 48105
(734) 214-4781 (phone)

United States Senate

WASHINGTON, DC 20510

April 3, 2018

The Honorable E. Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
Re: Draft Final Determination on Vehicle Emissions Standards

Dear Administrator Pruitt,

We write to express our strong opposition to the revised final determination that would roll back and weaken our long-standing fuel economy emissions standards. These standards save consumers money at the pump; promote energy independence by reducing our reliance on foreign oil, when we still import more than 3.5 million barrels every day;¹ foster innovation and American competitiveness; and protect the environment and public health.

In 2012, the National Highway Traffic Safety Administration (NHTSA) and the Environmental Protection Agency (EPA) worked together with states, automakers, and other experts to establish passenger vehicle fuel economy and greenhouse gas standards for vehicle model years (MY) 2017-2025. These standards will save nearly 2.5 million barrels of oil a day by 2030, reduce greenhouse gas emissions by 6 billion metric tons over the lifespan of the covered vehicles, and save consumers more than \$1 trillion dollars in fuel costs, an average of \$3,000 to \$5,000 over the life of a vehicle purchased in 2025. For the second half of these standards, from MY 2022-2025, EPA agreed to undertake a Mid-Term Evaluation (MTE) on whether they should strengthen, loosen, or maintain the current standards.

EPA was required to issue a Final Determination on whether the standards are appropriate by April 1, 2018. EPA, NHTSA, and the California Air Resources Board (CARB) issued a Draft Technical Assessment Report in July 2016 that found the existing MY2022-2025 standards could be met.² EPA's proposed determination, released in November 2016, reemphasized that the standards were appropriate and that no additional rulemaking was needed.³ This determination was finalized in January 2017.⁴

¹ U.S. Net Imports of Crude Oil and Petroleum Products, U.S. Energy Information Administration.
<https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=MTTNTUS2&f=M>

² EPA-420-D-16-900 (July 2016)

³ EPA-420-R-16-020 (November 2016)

⁴ EPA-420-R-17-000 (January 2017)

Despite the significant amount of expert analysis, stakeholder engagement, and agency expertise that went into this final determination, you decided to revisit this decision and issue a second final determination for MY2022-2025 vehicle emissions standards. In your announcement, you said the previous determination was “wrong” and “set the standards too high.”⁵

These weakened fuel economy emissions standards will force Americans to forgo many of the benefits of the originally agreed upon standards: consumers will pay more at the pump, the United States will import more oil, and the country will emit more greenhouse gases. You are also leaving automakers and consumers exposed to regulatory uncertainty.

We request your response by April 20, 2018 to the following questions about your reconsideration of the January 2017 final determination and the process by which you decided to reopen this rulemaking:

1. How did the EPA arrive at a conclusion that the fuel economy standards are no longer technologically feasible, a conclusion which contradicts the 2016 719-page TAR and the extensive process underlying the January 2017 MTE?
2. What specifically within the EPA’s January 2017 final determination did you think was inaccurate enough to warrant reopening the MTE?
3. Did EPA calculate how much additional money consumers would spend on gas as a result of your decision to weaken the MY2022-2025 standards? If yes, please detail the methodology, and if no, please provide an explanation as to why you did not do this analysis.
4. Did EPA consider how the proposed changes to the January 2017 final determination will affect the amount of oil imported into the United States? If yes, please detail the methodology, and if no, please provide an explanation as to why you did not do this analysis.
5. Did EPA consider how the proposed changes to the January 2017 final determination will affect the number of jobs in the fuel efficiency industry? If yes, please detail the methodology, and if no, please provide an explanation as to why you did not do this analysis.
6. Did EPA consider how the proposed changes to the January 2017 final determination will increase greenhouse gas emissions? If yes, please detail the methodology, and if no, please provide an explanation as to why you did not do this analysis.
7. Please detail all changes that were made to the inputs and execution of the modeling of possible technology pathways in your decision to reconsider the January 2017 final determination compared to the 2017 final determination itself.
8. Please detail all meetings you had with the auto industry and its representatives that dealt with the subject of these standards. Please provide copies of all documents (memos, reports, analyses, talking points, emails) you received from the auto industry and its representatives on this subject.

⁵ *EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised*, U.S. Environmental Protection Agency (April 2, 2018), <https://www.epa.gov/newsreleases/epa-administrator-pruitt-ghg-emissions-standards-cars-and-light-trucks-should-be>

9. Please detail all meetings you had with the oil industry and its representatives that dealt with this subject. Please provide copies of all documents (memos, reports, analyses, talking points, emails) you received from the oil industry and its representatives on this subject.

It is extremely troubling to us that EPA would seemingly bend to industry pressure and overturn an agreement that the auto industry had itself once supported. The current MY 2022-2025 fuel economy emissions standards deliver savings to consumers, protect the environment, and promote national security through energy independence. Your answers to the questions above are necessary to help us and the public understand why you appear to oppose these important objectives.

Sincerely,



Edward J. Markey
U.S. Senator



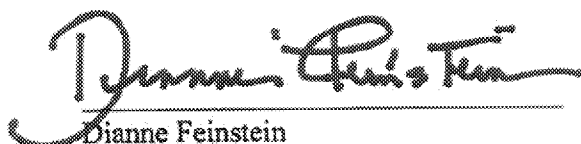
Sheldon Whitehouse
U.S. Senator



Kamala D. Harris
U.S. Senator



Richard Blumenthal
U.S. Senator



Dianne Feinstein
U.S. Senator



Michael Bennet
U.S. Senator

Message

From: Moran, Robin [moran.rob@epa.gov]
Sent: 4/2/2018 7:50:22 PM
To: Midterm Review [Midterm_Review@epa.gov]
Subject: FW: EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised

Team,

The FD notice has just been signed by the Administrator. We'll send out the MTE web link with the file, once its ready. Below is the press release.

Thanks again to everyone – Chris Lieske, Tad, Jeff, Mike O, OGC – who worked so hard on this last week.

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Monday, April 2, 2018 2:30 PM
To: Block, Molly <block.molly@epa.gov>
Subject: EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised

WASHINGTON (April 2, 2018) – Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt is announcing the completion of the Midterm Evaluation (MTE) process for the greenhouse gas (GHG) emissions standards for cars and light trucks for model years 2022-2025, and his final determination that, in light of recent data, the current standards are not appropriate and should be revised. Administrator Pruitt is also announcing the start of a joint process with the National Highway Traffic Safety Administration (NHTSA) to develop a notice and comment rulemaking to set more appropriate GHG emissions standards and Corporate Average Fuel Economy (CAFE) standards.

“The Obama Administration’s determination was wrong,” **said EPA Administrator Scott Pruitt.** “Obama’s EPA cut the Midterm Evaluation process short with politically charged expediency, made assumptions about the standards that didn’t comport with reality, and set the standards too high.”

Under the Clean Air Act (CAA), EPA sets national standards for vehicle tailpipe emissions of certain pollutants. Through a CAA waiver granted by EPA, California can impose stricter standards for vehicle emissions of certain pollutants than federal requirements. The California waiver is still being reexamined by EPA under Administrator Pruitt's leadership.

"Cooperative federalism doesn't mean that one state can dictate standards for the rest of the country. EPA will set a national standard for greenhouse gas emissions that allows auto manufacturers to make cars that people both want and can afford — while still expanding environmental and safety benefits of newer cars. It is in America's best interest to have a national standard, and we look forward to partnering with all states, including California, as we work to finalize that standard," **said Administrator Pruitt.**

Additional Background

As part of the 2012 rulemaking establishing the model year 2017-2025 light-duty vehicle GHG standards, EPA made a regulatory commitment to conduct a MTE of the standards for MY 2022-2025 no later than April 1, 2018. This evaluation would determine whether the standards remain appropriate or should be made more, or less stringent.

In November 2016, the Obama Administration short-circuited the MTE process and rushed out their final determination on January 12, 2017, just days before leaving office. Since then, the auto industry and other stakeholders sought a reinstatement of the original MTE timeline, so that the Agency could review the latest information.

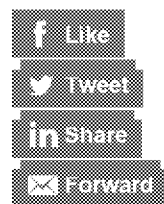
EPA and the U.S. Department of Transportation announced a reestablishment of the MTE process in March 2017. And, in August 2017, EPA reopened the regulatory docket and asked for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, and assessing advanced fuels technologies. EPA also held a public hearing on this topic.

For more information: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas>

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Newsroom



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004



[Unsubscribe](#)

Message

From: Lieske, Christopher [lieske.christopher@epa.gov]
Sent: 4/2/2018 7:00:09 PM
To: Charmley, William [charmley.william@epa.gov]; Moran, Robin [moran.robin@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]; Kataoka, Mark [Kataoka.Mark@epa.gov]; Simon, Karl [Simon.Karl@epa.gov]; Wysor, Tad [wysor.tad@epa.gov]
Subject: MTE FD signature file
Attachments: EPA revised Final Determination for interagency review April 2_Final ROCIS upload.docx

The signature file is attached and also on SharePoint.

https://usepa.sharepoint.com/:w:/r/sites/oar_Work/LD_MTE/Shared%20Documents/MTE%20Reconsideration/2018%20Final%20Determination/EPA%20revised%20Final%20Determination%20for%20interagency%20review%20April%202_Fi nal%20ROCIS%20upload.docx?d=w374fe6d199bd4cc298c6ebacff6bc392&csf=1&e=ujMinM

From: Sutton, Tia
Sent: Monday, April 02, 2018 2:55 PM
To: Lieske, Christopher <lieske.christopher@epa.gov>
Subject: RE: NNT0: Bill/Robin/anyone - do I have the green light to send to OP?? Press release is going out NOW

Here's the final sig file – can you upload to Sharepoint, we need to run down to BW's office.

From: Lieske, Christopher
Sent: Monday, April 02, 2018 2:52 PM
To: Sutton, Tia <sutton.tia@epa.gov>
Subject: FW: NNT0: Bill/Robin/anyone - do I have the green light to send to OP?? Press release is going out NOW

Tia, looks like we're all set. Do you have the file from SharePoint?

From: Kataoka, Mark
Sent: Monday, April 02, 2018 2:45 PM
To: Lieske, Christopher <lieske.christopher@epa.gov>
Cc: Charmley, William <charmley.william@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Subject: Re: NNT0: Bill/Robin/anyone - do I have the green light to send to OP?? Press release is going out NOW

Ex. 5 - Deliberative Process

Sent from my iPhone

On Apr 2, 2018, at 2:42 PM, Lieske, Christopher <lieske.christopher@epa.gov> wrote:

Tia –

Ex. 5 - Deliberative Process

From: Charmley, William
Sent: Monday, April 02, 2018 2:40 PM
To: Sutton, Tia <sutton.tia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>
Cc: Simon, Karl <Simon.Karl@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Subject: RE: NNT0: Bill/Robin/anyone - do I have the green light to send to OP?? Press release is going out NOW

Tia – I am done. No more changes from me.

From: Sutton, Tia
Sent: Monday, April 02, 2018 2:38 PM
To: Moran, Robin <moran.robin@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>
Cc: Simon, Karl <Simon.Karl@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Subject: NNT0: Bill/Robin/anyone - do I have the green light to send to OP?? Press release is going out NOW
Importance: High

From: Sutton, Tia
Sent: Monday, April 02, 2018 2:21 PM
To: Moran, Robin <moran.robin@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>
Cc: Simon, Karl <Simon.Karl@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Subject: RE: Next steps for Final Determination - per Mandy's call w/Rosaria

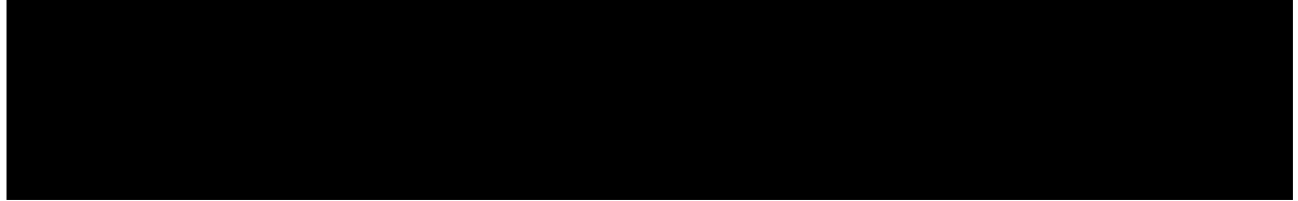
I'm in making minor clean-up edits throughout. As Robin noted, once you give me the green light, I will ship over to OP to upload to ROCIS, and then Pat and I will work on the signature package.

Ben- can you let Millett & co know that we're close?

From: Moran, Robin
Sent: Monday, April 02, 2018 2:17 PM
To: Kataoka, Mark <Kataoka.Mark@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>;

Charmley, William <charmley.william@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>
Cc: Sutton, Tia <sutton.tia@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Olechiw, Michael
<olechiw.michael@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Wysor, Tad
<wysor.tad@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Subject: RE: Next steps for Final Determination - per Mandy's call w/Rosaria

Tia and I just talked w/Mandy who relayed one additional language change from Rosario:



She said OMB does not need to see another pass-back, so once we give Tia the OK, she will send a clean file to OP for the ROCIS upload.

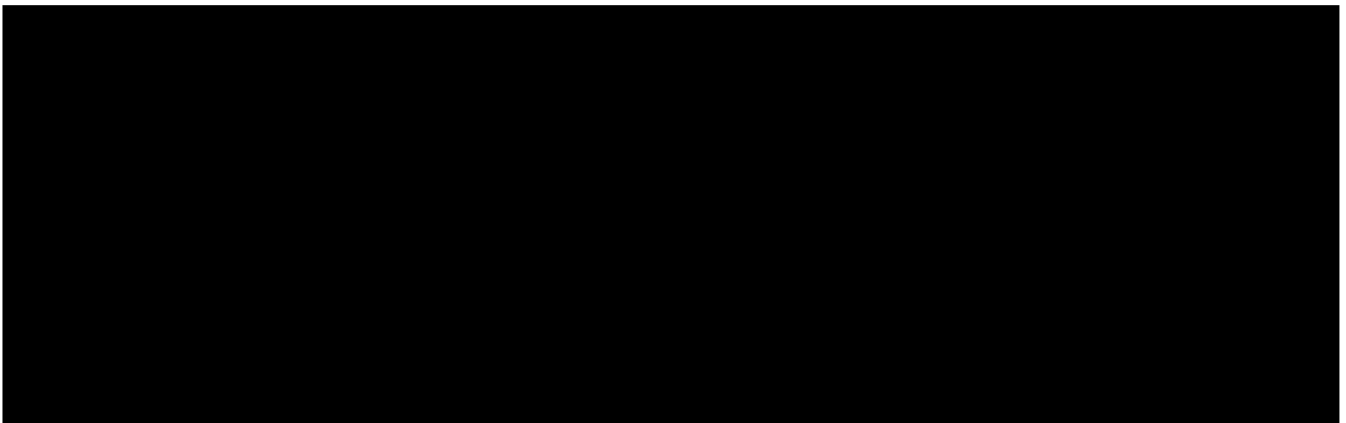
Ex. 5 - Deliberative Process

Other than that, all the other changes are made now in Sharepoint.

From: Kataoka, Mark
Sent: Monday, April 02, 2018 2:09 PM
To: Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>;
Baptist, Erik <Baptist.Erik@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley,
William <charmley.william@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>
Cc: Sutton, Tia <sutton.tia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Simon, Karl
<Simon.Karl@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Lieske, Christopher
<lieske.christopher@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>; Hengst, Benjamin
<Hengst.Benjamin@epa.gov>
Subject: RE: Next steps for Final Determination - Suggestion from OGC

I talked to Erik whom I'm ccing re: OMB edit in final paragraph.

I suggest replacement language designed to address the same point, below.



Mark M. Kataoka
Attorney
EPA OGC ARLO (2344A)
202-564-5584

From: Sutton, Tia

Sent: April 02, 2018 1:51 PM

To: Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Charmley, William <charmley.william@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>

Cc: Grundler, Christopher <grundler.christopher@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Cook, Leila <cook.leila@epa.gov>

Subject: Next steps for Final Determination

Importance: High

All,

Just want to make sure we're all set on next steps:

- Chris L/Robin will do another redline just to triple check that we got all the edits, good eye Mark (and my apologies – my computer went crazy, but thought we had resolved everything and I had all the edits accounted for)
- Let's use that version as our passback version – with edits just discussed in the meeting with Bill
 - If there's time, let's go ahead and double-space that and I will add the signature formatting in and clearance headers in (so that we can move ASAP if OMB accepts the edits)
 - Bill W & Mandy are calling Rosario now, and will let us know if there's anything we need to add/delete in the document
- From here, OMB will ask to see a final redline & clean version to bless. If all's good, we'll ship to OP to upload right away and then get the signature package moving downstairs.
- Mandy noted that OPA would like to put out the press release within the hour, so this may all move rather fast!

From: Hengst, Benjamin

Sent: Monday, April 02, 2018 1:10 PM

To: Moran, Robin <moran.robin@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Charmley, William <charmley.william@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>

Cc: Grundler, Christopher <grundler.christopher@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Cook, Leila <cook.leila@epa.gov>

Subject: FW: EPA passback of Final Determination

OTAQ +OGC only (took Bill and Mandy off)

From: Sutton, Tia


Sent: Monday, April 2, 2018 1:08 PM

To: Wehrum, Bill <Wehrum.Bill@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>

Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>

Subject: RE: EPA passback of Final Determination

All- redline of the new edits from OIRA (vs. the passback we sent this morning) is attached. Line edits on the following pages:



From: Wehrum, Bill
Sent: Monday, April 02, 2018 12:35 PM
To: Sutton, Tia <sutton.tia@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>
Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: FW: EPA passback of Final Determination

Tia – Will you please run a redline of this document versus the one we sent this morning? Thanks.

From: Achanta, Chandana L. EOP/OMB [mailto:Chandana_L_Achanta@omb.eop.gov]
Sent: Monday, April 2, 2018 12:33 PM
To: Sutton, Tia <sutton.tia@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Charmley, William <charmley.william@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Cc: Theroux, Rich P. EOP/OMB <Richard_P_Theroux@omb.eop.gov>; Laity, Jim A. EOP/OMB <James_A_Laity@omb.eop.gov>; Palmieri, Rosario A. EOP/OMB <rpalmieri@omb.eop.gov>
Subject: RE: EPA passback of Final Determination

Thanks a lot, Tia!

Attached is a follow-up summary of interagency comments received on the draft MTE under EO 12866 review. These are subject to further policy review.

Thanks
Chandana

From: Sutton, Tia <sutton.tia@epa.gov>
Sent: Monday, April 2, 2018 9:24 AM
To: Laity, Jim A. EOP/OMB <James_A_Laity@omb.eop.gov>; Achanta, Chandana L. EOP/OMB <Chandana_L_Achanta@omb.eop.gov>
Cc: Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Charmley, William <charmley.william@epa.gov>
Subject: EPA passback of Final Determination

Hi Jim and Chandana,
Attached is EPA's passback for your review.

Thanks,
Tia

Message

From: Lieske, Christopher [lieske.christopher@epa.gov]
Sent: 4/2/2018 5:55:15 PM
To: Hengst, Benjamin [Hengst.Benjamin@epa.gov]; Moran, Robin [moran.robin@epa.gov]; Simon, Karl [Simon.Karl@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Charmley, William [charmley.william@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Wysor, Tad [wysor.tad@epa.gov]
CC: Kataoka, Mark [Kataoka.Mark@epa.gov]; Sutton, Tia [sutton.tia@epa.gov]; Burch, Julia [Burch.Julia@epa.gov]; Cook, Leila [cook.leila@epa.gov]
Subject: RE: EPA passback of Final Determination
Attachments: RLSO_EPA revised Final Determination for interagency review April 2_edit....docx

Here is the RLSO from the compare I ran.

From: Hengst, Benjamin
Sent: Monday, April 02, 2018 1:10 PM
To: Moran, Robin <moran.robin@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Charmley, William <charmley.william@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>; Wysor, Tad <wysor.tad@epa.gov>
Cc: Grundler, Christopher <grundler.christopher@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Cook, Leila <cook.leila@epa.gov>
Subject: FW: EPA passback of Final Determination

OTAQ +OGC only (took Bill and Mandy off)

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Sent: Monday, April 2, 2018 1:08 PM
To: Wehrum, Bill <Wehrum.Bill@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>
Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: RE: EPA passback of Final Determination

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Ex. 5 - Deliberative Process

From: Wehrum, Bill
Sent: Monday, April 02, 2018 12:35 PM
To: Sutton, Tia <sutton.tia@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>
Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: FW: EPA passback of Final Determination

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Sent: Monday, April 2, 2018 12:33 PM
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Cc: Theroux, Rich P. EOP/OMB <Richard_P_Theroux@omb.eop.gov>; Laity, Jim A. EOP/OMB <James_A_Laity@omb.eop.gov>; Palmieri, Rosario A. EOP/OMB <rpalmieri@omb.eop.gov>
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Thanks
Chandana

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To: Laity, Jim A. EOP/OMB <James_A_Laity@omb.eop.gov>; Achanta, Chandana L. EOP/OMB <Chandana_L_Achanta@omb.eop.gov>
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Subject: EPA passback of Final Determination

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Sent: 4/2/2018 5:10:11 PM
To: Moran, Robin [moran.robin@epa.gov]; Simon, Karl [Simon.Karl@epa.gov]; Olechiw, Michael [olechiw.michael@epa.gov]; Charmley, William [charmley.william@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]; Alson, Jeff [alson.jeff@epa.gov]; Lieske, Christopher [lieske.christopher@epa.gov]; Wysor, Tad [wysor.tad@epa.gov]
CC: Grundler, Christopher [grundler.christopher@epa.gov]; Kataoka, Mark [Kataoka.Mark@epa.gov]; Sutton, Tia [sutton.tia@epa.gov]; Burch, Julia [Burch.Julia@epa.gov]; Cook, Leila [cook.leila@epa.gov]
Subject: FW: EPA passback of Final Determination
Attachments: OIRA edits to EPA revised Final Determination for interagency review April 2_edits.docx

OTAQ +OGC only (took Bill and Mandy off)

From: Sutton, Tia
Sent: Monday, April 2, 2018 1:08 PM
To: Wehrum, Bill <Wehrum.Bill@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>
Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Subject: RE: EPA passback of Final Determination

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Cc: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
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Cc: Theroux, Rich P. EOP/OMB <Richard.P.Theroux@omb.eop.gov>; Laity, Jim A. EOP/OMB <James.A.Laity@omb.eop.gov>; Palmieri, Rosario A. EOP/OMB <rpalmieri@omb.eop.gov>
Subject: RE: EPA passback of Final Determination

Thanks a lot, Tia!

Attached is a follow-up summary of interagency comments received on the draft MTE under EO 12866 review. These are subject to further policy review.

Thanks
Chandana

From: Sutton, Tia <sutton.tia@epa.gov>
Sent: Monday, April 2, 2018 9:24 AM
To: Laity, Jim A. EOP/OMB <James_A_Laity@omb.eop.gov>; Achanta, Chandana L. EOP/OMB <Chandana_L_Achanta@omb.eop.gov>
Cc: Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Charmley, William <charmley.william@epa.gov>
Subject: EPA passback of Final Determination

Hi Jim and Chandana,
Attached is EPA's passback for your review.

Thanks,
Tia